

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
SPRINGFIELD, ILLINOIS

ORIGINAL

ILLINOIS & MIDLAND RAILROAD, INC.)

Petitioner)

vs.)

STATE OF ILLINOIS DEPARTMENT OF)
TRANSPORTATION; COUNTY OF TAZEWELL)

AMENDED PETITION TO
MODIFY RAILROAD CROSSING INTERSECTION
D.O.T. 169809T
(FLASHING LIGHTS AND GATES)

ILLINOIS COMMERCE
COMMISSION
NOV 12 P 5:02
TRANSPORTATION DIV
T 03 - 88

Now comes the Petitioner, Illinois & Midland Railroad, Inc. with its petition of the Illinois Commerce Commission to modify a railroad crossing intersection, and in support thereof shows to the Commission the following:

1. The Petitioner, Illinois & Midland Railroad, Inc., is a Delaware Corporation authorized to operate as a Railroad in Illinois.

2. The Petitioner seeks to modify the railroad crossing described as D.O.T. 169809T; also described as I & M Crossing No. 138-A.

3. The Illinois Commerce Commission has jurisdiction of the subject matter.

4. The instant crossing D.O.T. 169809T in its present form, is the intersection of the single track of the mainline of the Illinois & Midland Railroad and Wagonseller Road (a north south road) in Tazewell County. The present crossing protection consists of automatic flashing lights, one stanchion at the Northwest quadrant of the Wagonseller Road intersection, and one in the Southeast quadrant. This present protection is in place by the State of Illinois Commerce Commission Order of November 29, 1972 of Docket No. 57468.

5. The single track mainline of the Petitioner extends northeasterly from its intersection with Wagonseller Road, lying easterly and parallel to the mainline is a series of 4 yard tracks housing from 115 railroad cars to 127 railroad cars, or some 7500' in length; this is called Crescent Yard. Those 4 yard tracks join the main line presently a short distance northerly from Wagonseller Road. Attached hereto, Exhibit No. 1, shows the general layout of the crossing and the accompanying yards, i.e. Crescent Yard and Powerton Yard.

6. The petitioner has a yard consisting of 4 tracks lying Northwesterly of and parallel to the mainline called Powerton Yard; this permits of train service by the Petitioner for an Exelon coal fired electric generating station, located near that crossing.

7. Currently, there are 2 trains per day using the mainline, which cross Wagonseller Road. Presently, there are 11 yard movements across this same crossing. The mainline speed is 20 miles per hour, with the yard limit speed of 10 miles per hour.

DOCKETED
NOV 13 2003

RAD/

8. The Petitioner desires to modify the existing described arrangement to permit of handling longer trains in the Crescent Yard. More particularly, the Petitioner is going to lengthen the present Crescent Yard Tracks 1-4, extending them in both a Northerly and Southerly direction, with the result that Crescent Yard Track No. 4 will accommodate 141 cars and Crescent Yard Tracks Nos. 1, 2, and 3 will each accommodate 139 cars.

The Northerly extension will take Crescent 4 track to within 10 feet of the existing Lost Creek Bridge.

In addition, Crescent Yard Track No. 1 will be extended southerly such that it will extend into Wagonseller Road and have its intersection with the mainline of Petitioner South of Wagonseller Road (the other Crescent Yard Tracks 2, 3, and 4 will not cross Wagonseller Road). See attached Exhibit 2A, 2B and 2C.

The other modification will be the replacement of the present flashing lights stanchion located at the Northwest quadrant with flashing lights and gate and relocation and replacement of the existing flashing crossing lights located in the Southeast quadrant with flashing lights and gate to a distance further East because of the extension of Crescent Yard No. 1, Southerly into Wagonseller Road. Finally, the new crossing will be of 40' wood planks construction.

9. The change in the railroad crossing arrangement will not result in any additional mainline through movements; it will probably add 5 yard track movements across the crossing daily.

Some yard track movements, 4 per day, will be the movement of 135 car unit trains, causing the crossing to be blocked for approximately 8.5 minutes.

10. The daily vehicular traffic across the crossing is probably not in excess of 500 daily.

11. The cost to renovate the crossing itself to handle the changes in the crossing configuration is some \$32,000.00 as shown by Exhibit 3.

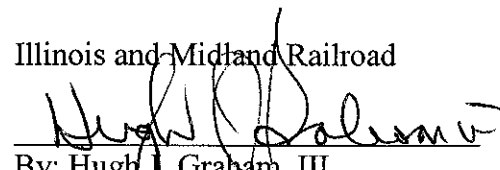
12. The cost to put in place a flashing light with gate on the Northwesterly quadrant of Wagonseller Road, as well as, the cost of relocation and replacement of the Southeasterly flasher with flashing lights and a gate is some \$98,000.00, as shown in Exhibit 4.

13. The changes proposed will be made by the Petitioner with its own forces, and made in accordance with the Rules of the Illinois Commerce Commission.

14. The modifications to the crossing are necessary to handle the train movements, and accompany yard movements, and the changes are consistent with the best interest of the public health convenience and necessity.

Whereof the Petitioner, Illinois & Midland, Inc., pray of the Illinois Commerce Commission that it authorize the Illinois & Midland to modify the crossing to permit a yard track to extend across Wagonseller Road, and to install and relocate existing flashing lights and gates at Wagonseller Road, all as described above and for such other and further relief as may be necessary.

Illinois and Midland Railroad


By: Hugh J. Graham, III

The Petitioner does not feel that a public hearing is necessary, rather that the Commission can act on the petition on the basis of the information it has on hand from this petition, as well as their own records.

ATTESTATION

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

I, Hugh J. Graham, III, being first duly sworn on oath, deposes and states that I am the attorney for Illinois and Midland in the above-captioned matter, that I have read the foregoing document, and the statements made herein are true, correct and complete to the best of my knowledge and belief.

Hugh J. Graham, III
Signature

Subscribed and Sworn to before me
this 12 day of Nov, 2003.

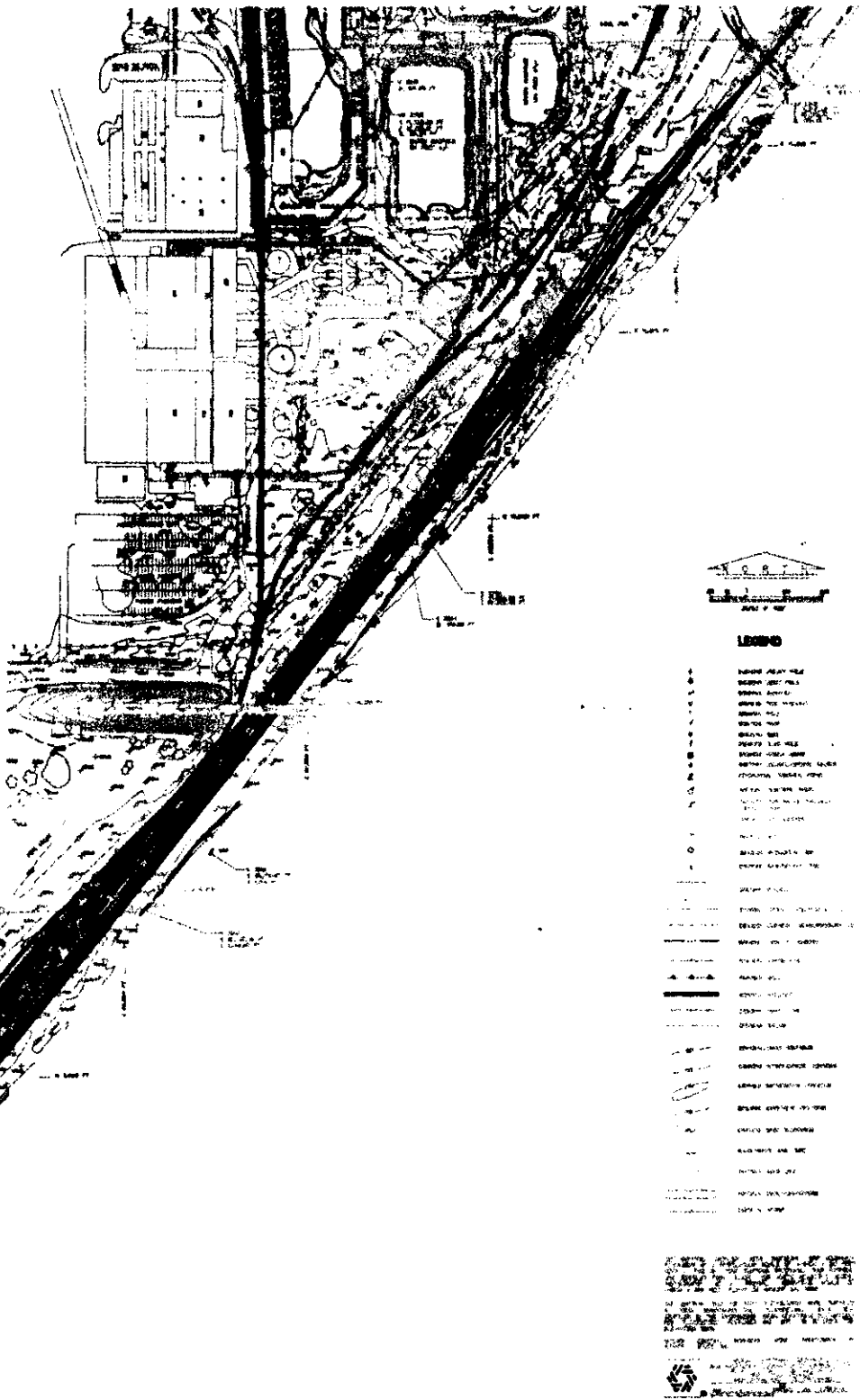
Nancy Eckert Martin
Notary Public



CERTIFICATION

I, Hugh J. Graham, III attorney for the I & M certify that I have on this the 12 day of Nov, 2003 filed the original and three copies of the aforementioned Petition with the Illinois Commerce Commission and deposited in the United State mail an additional copy with the Illinois Department of Transportation, Victor A. Modeer, Director, Attn: Jeff Harpring, 2300 South Dirksen Parkway, Springfield, Illinois 62764 and the County of Tazewell's Superintendent of Highways, Norman Johnson, 21308 ILL RR #9, Tremont, Illinois 61568.

Hugh J. Graham, III
Hugh J. Graham, III



EXHIBIT

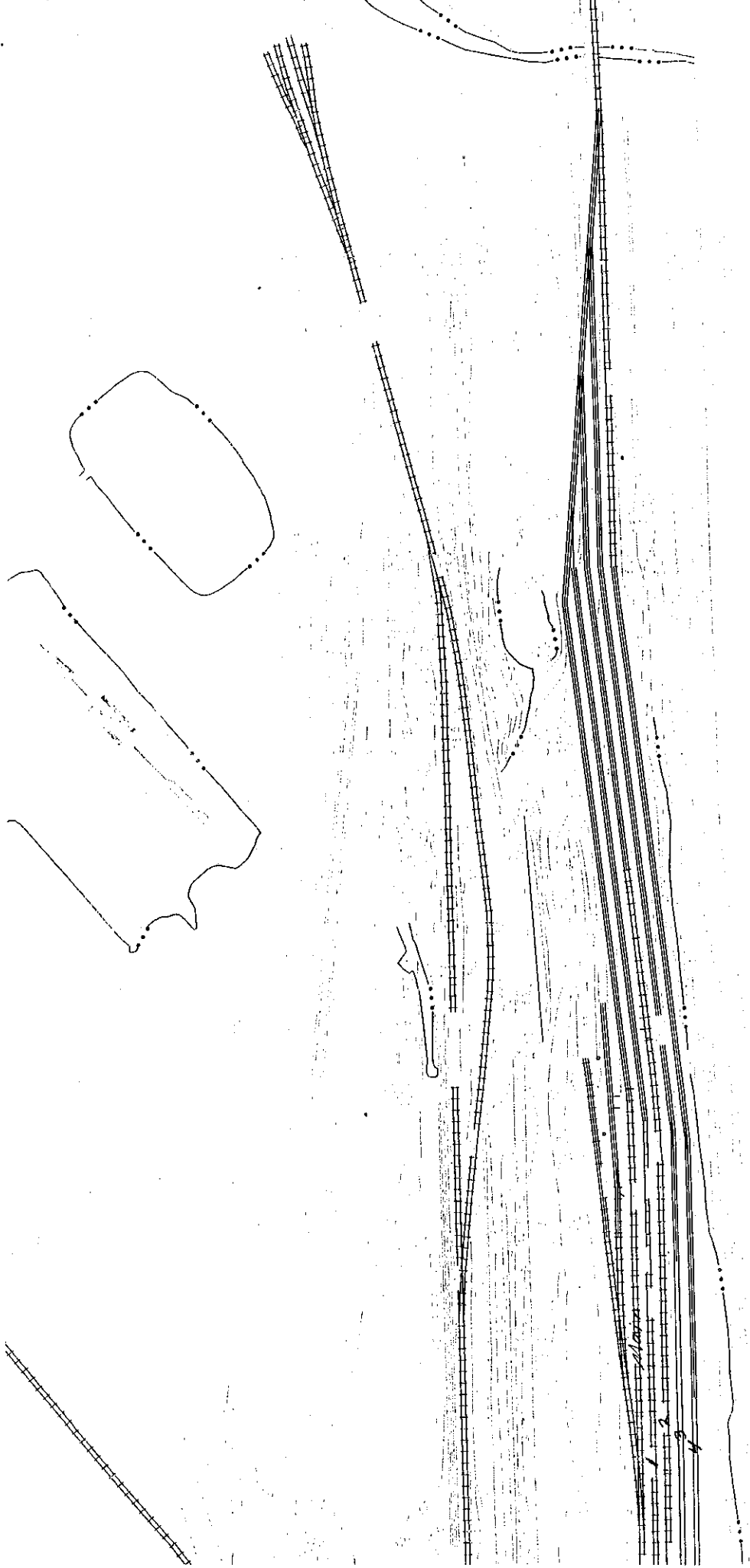
tabbies

1

Scale 11-501

A

[illegible]



Illinois & Midland Railroad.
Scale
1" = 100'

EXHIBIT
2B

XING NO. 139-A
DOT 169 810 M
689 +01.7 - P.S. No. 368

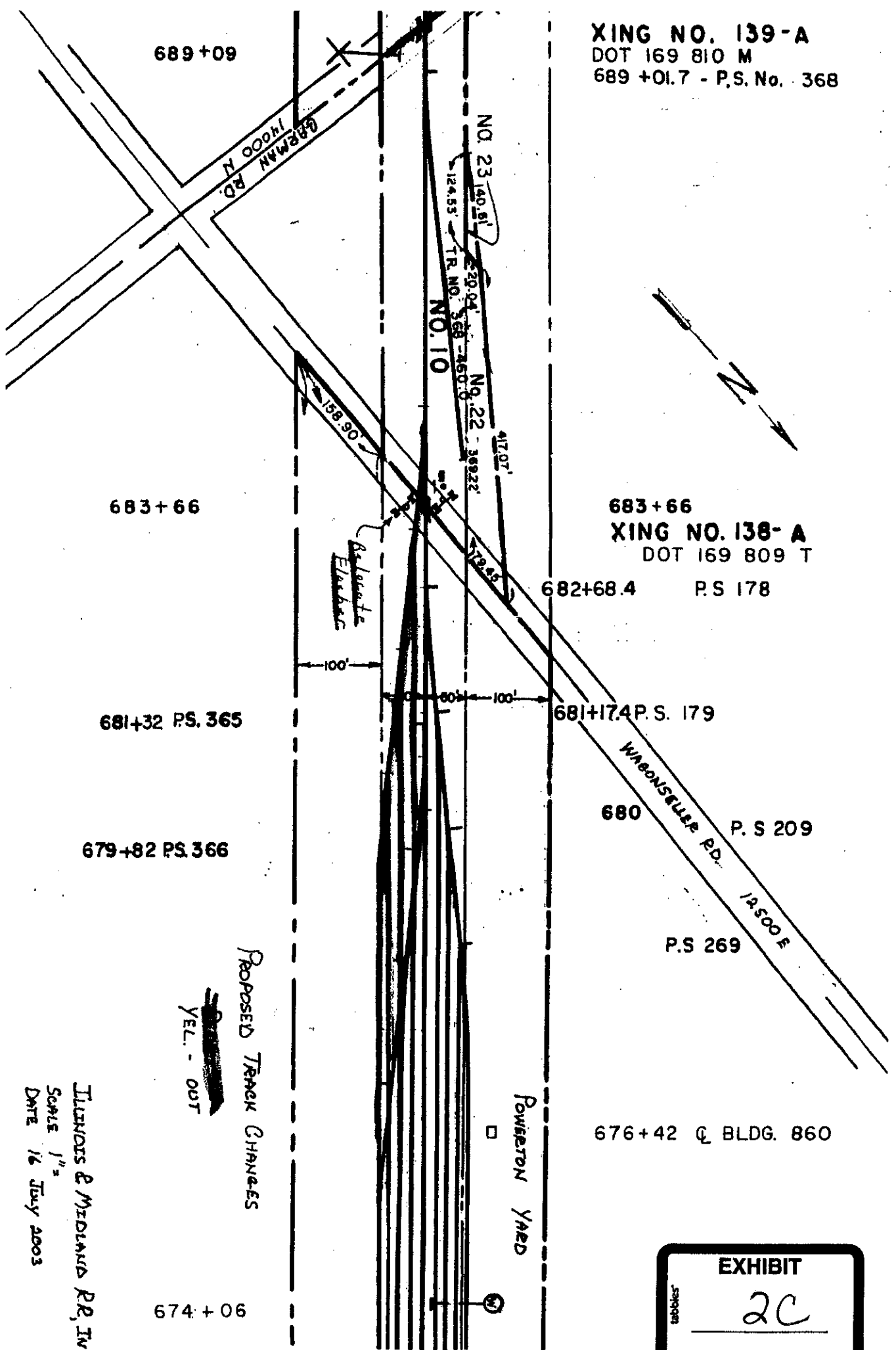


EXHIBIT
2C

ILLINOIS & MIDLAND R.R., IN
SCALE 1" =
DATE 16 July 2003

PROPOSED TRACK CHANGES
YEL. - OUT

ILLINOIS & MIDLAND RAILROAD INC.
Office of Chief Engineer
Springfield, Illinois

Wagonseller Road
Storage track crossing

Labor			Qty.	Unit	Price	Total
Excavate roadw	1 days	B & B	24	MH	\$19.20	\$461
	1 days	Mechanic	8	MH	\$19.10	\$153
Place subballa	1 days	Mechanic	8	MH	\$19.10	\$153
	1 days	Section	32	MH	\$18.35	\$587
Install Ties	2 days	Section	64	MH	\$18.35	\$1,174
	2 days	Mechanic	32	MH	\$19.10	\$611
Weld Rail	2 days	Welder	16	MH	\$19.10	\$306
	2 days	Mechanic	16	MH	\$19.10	\$306
	2 days	Section	16	MH	\$18.35	\$294
Install Rail	1 days	Section	32	MH	\$18.35	\$587
	1 days	Mechanic	8	MH	\$19.10	\$153
Tamp Track	1 days	Tamper	8	MH	\$19.10	\$153
	1 days	Regulato	8	MH	\$19.10	\$153
Install planki	1 days	B & B	24	MH	\$19.20	\$461
	1 days	Mechanic	8	MH	\$19.10	\$153
Pave roadway	1 days	Mechanic	8	MH	\$19.10	\$153
	1 days	B & B	24	MH	\$19.20	\$461
Labor Total						\$5,703

MATERIAL

Rail, 115 lb.	156 ft.	\$15.00	\$2,340
Ties, 7"x9"	50 ea.	\$55.00	\$2,750
Tie PLates	100 ea.	\$5.00	\$500
Welds	2 ea.	\$125.00	\$250
Inj. Joint	12 pr.	\$250.00	\$3,000
Anchors	200 ea.	\$2.00	\$400
Ballast	90 ton	\$15.00	\$1,350
Spikes	200 lb.	\$0.50	\$100
Plank, Crossing	18 ea.	\$50.00	\$900

40 ft crossing



Shim, Plank	15 ea.	\$15.00	\$225
Lags	175 lb.	\$2.00	\$350
Asphalt	20 ton	\$50.00	\$1,000
Misc.	1 lot	\$1,000	\$1,000

Material Total	\$14,165
----------------	----------

EQUIPMENT RENTAL

Truck, Section	6 day	\$175.00	\$1,050
Truck, Section	6 day	\$100.00	\$600
Truck, Dump	6 day	\$100.00	\$600
Truck, Tamping	1 day	\$40.00	\$40
Truck, Mechanic	9 day	\$75.00	\$675
Truck, B & B	3 day	\$175.00	\$525
Tamper	1 day	\$700.00	\$700
Regulator	1 day	\$300.00	\$300
Backhoe	6 day	\$210.00	\$1,260
Speed Swing	3 day	\$200.00	\$600
Hydraulic Unit	3 day	\$45.00	\$135
Hydraulic Unit	3 day	\$45.00	\$135
Hydraulic Wrench	1 day	\$15.00	\$15
Hydraulic Spiker	2 day	\$15.00	\$30

E.R. Total	\$6,665
------------	---------

OVERHEADS

Labor	Overhead Labor	\$3,137
MSE	Overhead Material	\$2,125

Crossing cost	\$31,795
---------------	----------

PROJECT QUOTATION



SignalMasters, Inc.

26120 Governors Highway
Monee, Illinois 60449
(708) 534-3330 Fax (708) 534-8010
www.signalmasters.net

No. **092203-01**

Date **9/22/03**

Sheet **1** of **1**

Quotation Valid for **90 days**

Quoted To: **Allan Johnson**
Title **Chief Engineer**
Customer **Illinois Midland Railroad Company**
Address1 **1500 North Grand Avenue East**
Address2
City **Springfield**
State **IL** ZipCode **62702**

Covering Materials and/or Services Requested for

Upgrade crossing system at Wagon seller Rd. Powerton, IL

Quoted pricing includes design, assembly, delivery, installation and cutover support of new crossing control system. Quote does not include materials other than detailed on the attached Bill of Material, electrical service drops, or outside contractors other than SignalMasters, Inc.

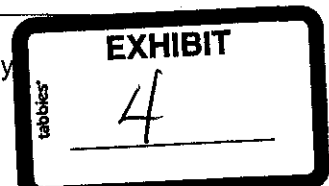
Item	Qty	Unit	Description	Unit Price	Total
1	1	Lot	Materials	\$ 59,332.45	\$ 59,332.45
2	1	L.S.	Engineering Services	\$ 3,974.40	\$ 3,974.40
3	1	L.S.	Shop Labor	\$ 4,190.40	\$ 4,190.40
4			Manufacturing Services	\$ -	\$ -
5	1	L.S.	Installation & Cutover Support	\$ 23,865.60	\$ 23,865.60
6	1	Lot	Miscellaneous	\$ 1,642.50	\$ 1,642.50
8	1	L.S.	Illinois Sales Taxes	\$ 4,449.93	\$ 4,449.93
9	1	L.S.	Estimated Freight	\$ 400.00	\$ 400.00
10			Container Usage (30 days)		\$ -
11					\$ -
12					\$ -
PROJECT TOTAL					\$ 97,855.29
FOB point		Monee, IL		Anticipated Delivery Dates	
		Progressive Billing		Engineering	Materials
Payment Terms		Net 30 days each invoice		30 days ARO	90 days ARO
Progressive Billing Milestones & Amounts					
Phase 1		Phase 2		Phase 3	
Engineering Approval		Receipt of Mats @ SMI		Shipment	
3,974.40		63,782.39		4,590.40	
				25,508.10	
				97,855.29	
				Total	

In addition to SignalMasters, Inc. Standard Terms and Conditions, this quotation and stated delivery dates are subject to:

1. Other orders as may be received by SignalMasters, Inc. prior to the acceptance of this quotation
2. Timely return by the customer of technical data and drawings submitted by SignalMasters, Inc. for approval
3. Timely availability and receipt of materials from vendors and manufacturers other than SignalMasters, Inc.

Submitted By: 
T.F. Bell
General Manager & Chief Engineer

Accepted: **Allan Johnson**
Illinois Midland Railroad Company
Date:



PLEASE SEE

FORMAL FILE

FOR EXHIBITS